

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOSHUA RODRIGUEZ,

Defendant.

22-cr-316 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On March 10, 2023, defendant Joshua Rodriguez moved to suppress certain statements that he made to law enforcement agents on June 9, 2022. See ECF No. 23. In its opposition papers, the Government stated that it did not intend to introduce those statements during its case in chief. See ECF No. 29. The Government, therefore, took the position that defendant's motion was moot. Id. In email correspondence with the Court on April 4, 2023 (here attached) counsel for Mr. Rodriguez agreed with the Government's position. Accordingly, Mr. Rodriguez's motion is denied as moot.

SO ORDERED.

New York, NY  
April 5, 2023

  
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JED S. RAKOFF, U.S.D.J.

**From:** Donald Yannella  
**To:** Andrews, Mathew (USANYS)  
**Cc:** Adam Kern; Avi C. Moskowitz; Heavey, Courtney (USANYS); Lichtenberg, James (USANYS)  
**Subject:** Re: U.S. v. Rodriguez: Evidentiary Hearing on Motion to Suppress  
**Date:** Tuesday, April 4, 2023 9:32:48 AM

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**CAUTION - EXTERNAL:**

I agree that it is moot. But I will confer with cocounsel.

Donald Yannella, Esq.

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On Tue, Apr 4, 2023 at 9:27 AM Andrews, Mathew (USANYS)

<[Mathew.Andrews@usdoj.gov](mailto:Mathew.Andrews@usdoj.gov)> wrote:

Hi Adam, is an evidentiary hearing still required in light of the Government's response? It seems that the motion is moot. Avi / Don, please let me know if you disagree.

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